IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6388 of 2005

Between:

Ch. Nageswara Srirama Prasada Varma, S/o C. Pattabhiramayya,
R/o B-10, Industrial Estate, Kancharapalem, Visakhapatnam.

... PETITIONER

AND

1 The District Collector, Ranga Reddy District, Saifabad, Hyderabad.
2 The District Registrar, Ranga Reddy District, Moosapet, Hyderabad.
3 The Sub Registrar, Medchal, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of mandamus declaring the action of the respondents in not allowing the registration of a sale deed in respect of a landed property owned by me to an extent of 836 sq. meters covered by Plot Nos. 399 and 399A in Sy.No. 49 situated at Padmanagar Colony-1, Qutbullapur (Kothalapur) village, Medchal Taluk , Ranga Reddy District as illegal, arbitrary and violative of Art. 14 and 21 of the Constitution of India and consequentially to direct the respondents 2 and 3 to register the sale deeds as and when presented without insisting for 'No objection Certificate'.

Counsel for the Petitioner: MR.M.SUDHIR KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed seeking a declaration that the action of the respondents in not allowing registration of a sale deed in respect of land to an extent of 836 square meters covered by Plot Nos.399 and 399A in Sy.No.49 of Padmanagar Colony-1, Qutbullapur (Kothalapur) Village, Medchal Taluk, Ranga Reddy District as arbitrary and illegal.

It is the case of the petitioner that he is the absolute owner and possessor of the land in question having purchased the same under a registered sale deed dated 15-11-1968. It is stated that due to financial needs he intends to sell the said land, however he is unable to finalise the sale transactions in view of the action of the respondent in insisting on No Objection Certificate from the District Collector and on that ground refusing to register the sale deeds in respect of the land in Sy.No.49 of Qutbullapur Village. Hence, this writ petition contending that except where a notification is issued under Section 22-A of the Registration Act, 1908 prohibiting transfer in respect of any particular land, the registration cannot be stalled.

Heard the learned counsel for the petitioner and the learned Government Pleader for revenue appearing for the respondents. The learned counsel for both the parties brought to my notice that W.P.No.12433 of 2004 with an identical prayer was disposed of by this Court by order dated 24-08-2004, directing the registering authorities to register the sale deeds without insisting on No Objection Certificate unless it is notified under Section 22-A of the Registration Act, 1908,

Following the order passed in W.P.No.12433 of 2004 dated
24-08-2004, this writ petition is disposed of with a direction to the respondents 2 and 3 to receive the sale deeds for registration as and when presented by the petitioner

and register in accordance with law, without insisting on 'No Objection Certificate' unless it is notified as contemplated under Section 22-A of the Registration Act, 1908. No order as to costs.

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G. ROHINI, J

Dated: 07-04-2005

NOTE: Furnish C.C. by Monday.

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Ranga Reddy District, Saifabad, Hyderabad.
2 The District Registrar, Ranga Reddy District, Moosapet, Hyderabad.
3 The Sub Registrar, Medchal, Ranga Reddy District.

4. Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad. (OPUT)

Two C.D. copies.